

November 14, 2003

MAIL STOP PATENT APPLICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450



Re: Application of Shigeo KOMATSU, Hiroshi MUKAI, Tetsuya MURAI,
Shinya KITANO, Mikio OKADA, Hiroshi NAKAHARA, Mikito NAGATA,
and Hiroyuki YUMOTO
NONAQUEOUS SECONDARY ELECTROLYTIC BATTERY
Assignee: **JAPAN STORAGE BATTERY CO., LTD.**
Our Ref: Q78179

Dear Sir:

This is a request for a Divisional Application of pending prior Application No. 09/582,868 (Confirmation No. 4457) filed January 25, 2001 of Shigeo KOMATSU, Hiroshi MUKAI, Tetsuya MURAI, Shinya KITANO, Mikio OKADA, Minoru MIZUTANI, Hiroshi NAKAHARA, Mikito NAGATA, and Hiroyuki YUMOTO entitled NONAQUEOUS SECONDARY ELECTROLYTIC BATTERY.

This application is being filed under 37 C.F.R. § 1.53(b). Enclosed is a specification, including the claims and abstract, 19 sheets of drawings, and a copy of the partially executed Declaration (and supporting documents under Rule 47(a)) as filed in the prior application. Also enclosed is an Information Disclosure Statement and a PTO/SB/08 A & B (modified) listing references cited by applicant and/or the examiner during prosecution of the prior application.

The prior application is assigned to Group Art Unit 1745.

This is a divisional of Application No. 09/582,868 filed January 25, 2001, which is a 35 U.S.C. § 371 of International Application No. PCT/JP99/06135 filed November 4, 1999; the disclosures of which are incorporated herein by reference.

Priority is claimed from:

<u>Country</u>	<u>Application No</u>	<u>Filing Date</u>
Japan	10-315967	November 6, 1998
Japan	10-344976	December 4, 1998
Japan	11-085155	March 29, 1999
Japan	11-085208	March 29, 1999
Japan	11-085171	March 29, 1999
Japan	11-085270	March 29, 1999
Japan	11-086977	March 29, 1999
Japan	11-088251	March 30, 1999



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SUGHRUE MION, PLLC

MAIL STOP PATENT APPLICATION

Divisional of U.S. Appln. No. 09/582,868

Japan 11-088599 March 30, 1999

Japan 11-088072 March 30, 1999

The priority documents were submitted to the International Bureau in prior International Appln. No. PCT/JP99/06135.

Please refer to the attached Preliminary Amendment before calculating the Government filing fee.

The Government filing fee is calculated as follows:

Total claims	<u>8</u> - 20	=	<u>0</u>	x	\$18.00	=	<u>\$0.00</u>
Independent claims	<u>2</u> - 3	=	<u>0</u>	x	\$86.00	=	<u>\$0.00</u>
Base Fee							<u>\$770.00</u>

TOTAL FILING FEE

\$770.00

A check for the statutory fee of \$770.00 is attached. The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this transmittal letter is attached.

The application is timely filed.

Respectfully submitted,

SUGHRUE MION, PLLC
Attorneys for Applicant

By 
Ray Heflin
Registration No. 41,060

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WASHINGTON OFFICE

23373

CUSTOMER NUMBER

1460

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q78179

Shigeo KOMATSU, et al.

Divisional of Appln. No.: 09/582,868

Confirmation No.: Not Yet Assigned

Group Art Unit: Not Yet Assigned

Filed: November 14, 2003

Examiner: Not Yet Assigned

For: NONAQUEOUS SECONDARY ELECTROLYTIC BATTERY

REQUEST TO CORRECT INVENTORSHIP PURSUANT TO 37 C.F.R. § 1.48(b)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Please correct the inventorship of the above-identified application by removing Minoru Mizutani as a co-inventor.

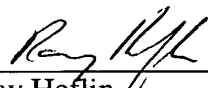
This Request is made in accordance with 37 C.F.R. § 1.48(b).

The undersigned hereby acknowledges, on behalf of the Applicants and Assignee, that due to the cancellation of claims 1-9, 14-33, and 38-61, the invention of Minoru Mizutani is no longer being claimed in this application.

A check in the amount of \$130.00 as set forth in 37 C.F.R. § 1.17(i) is attached. The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this paper is attached.

Respectfully submitted,

SUGHRUE MION, PLLC
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Ray Heflin
Registration No. 41,060

WASHINGTON OFFICE
23373
CUSTOMER NUMBER

Date: November 14, 2003

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

KOMATSU, SHIGEO, et al.

Appln. No.: 09/582,868

Group Art Unit: To be determined

Filed: July 6, 2000

Examiner: To be determined

For: NONAQUEOUS SECONDARY ELECTROLYTIC BATTERY

PETITION UNDER 37 C.F.R. § 1.47(a) &
SUBMISSION OF FEE UNDER 37 C.F.R. § 1.17(i)

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

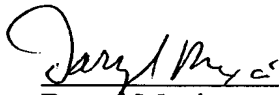
The executed Declaration for the above application was submitted herewith, on January 25, 2001. In view of the fact that inventors Mikito Nagata, Hiroshi Nakahara, and Hiroyuki Yumoto have refused to sign the Declaration, the Declaration was signed by Shigeo Komatsu, Hiroshi Mukai, Tetsuya Murai, Shinya Kitano, Mikio Okada, and Minoru Mizutani on behalf of themselves and Mikito Nagata, Hiroshi Nakahara and Hiroyuki Yumoto.

A Declaration of Mr. Terrance J. Wikberg and a Declaration of Mr. Akinori Okura under 37 C.F.R. § 1.47(a) are submitted herewith setting forth the circumstances surrounding the refusal by Mikito Nagata, Hiroshi Nakahara and Hiroyuki Yumoto to sign the Declaration. The Declaration of Terrance J. Wikberg includes the last known addresses and phone numbers for Mikito Nagata, Hiroshi Nakahara and Hiroyuki Yumoto.

Enclosed is a check in the amount of \$130.00 in support of this Petition as required by 37 C.F.R. § 1.17(i). The United States Patent and Trademark Office authorized to charge any underpayment or credit any overpayment to Deposit Account No. 19-4880.

In view of the facts set forth in the Declarations of Terrance J. Wikberg and Akinori Okura, it is respectfully requested that the present Petition be granted and that the Declaration signed by Shigeo Komatsu, Hiroshi Mukai, Tetsuya Murai, Shinya Kitano, Mikio Okada, and Minoru Mizutani on behalf of themselves and Mikito Nagata, Hiroshi Nakahara and Hiroyuki Yumoto be accepted.

Respectfully submitted,



Darryl Mexic
Registration No. 23,063

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Terrance J. Wikberg
Registration No. 47,177

Date: January 25, 2001